

John Boehner
Chairman
8th District, Ohio

*House Meets at 10:30 a.m. for Morning Hour
and 12:00 Noon for Legislative Business
(No Votes Expected Before 5:00 p.m.)*

Anticipated Floor Action:

S. 768—Providing Private Relief to the Christopher Meili Family
H.R. 378—Providing Private Relief to Heraclio Tolley
H.R. 584—Providing Private Relief to John Wesley Davis
H.R. 1818—Juvenile Crime Control and Delinquency Prevention Act
**H.R. 2035—Authorizing the Transfer of Naval Vessels to Certain Foreign
Countries**
H.R. 2107—FY 1998 Interior Appropriations Act
H.R. 2158—FY 1998 VA/HUD Appropriations Act



Bills Considered on the Private Calendar

Floor Situation: The House is scheduled to consider three bills on the private calendar as its first order of business today. Legislation placed on the private calendar may be called up on the first and third Tuesdays of each month. During floor consideration, a House sponsor will request that bills listed on the private calendar for the month be read, after which the chair of the Committee of the Whole will call for any members who may object to the bill's consideration. An objection is needed from only two members in order to remand the bill to the committee of origin.

S. 768 grants permanent residence status in the U.S. to Mr. Christopher Meili, along with his wife and two children, in order to avoid facing certain persecution in his native Switzerland. Mr. Meili has faced scrutiny since January for his role in the discovery of financial documents that identify as much as \$7 billion in looted assets from accounts opened by European Jews in the wake of the Nazi regime and World War II.

H.R. 378 classifies a minor, Heraclio Tolley, as a child for adoption purposes; such a classification allows him to be legally adopted by his current legal guardians, David and Dawn Tolley. Currently, Heraclio and his brother, Florencio, reside in El Cajon, California, where the boys have lived for the past several years. Orphaned in Mexico in 1992, the brothers were brought to the U.S. by their now-deceased uncle to be cared for. Upon his death, the Tolleys—who employed the boys’ uncle—decided to adopt the siblings and initiated guardianship and adoption processes for the boys. Although these procedures were engaged before the eldest sibling, Heraclio, turned 16, the adoption was not finalized until after his 16th birthday. Under current federal law, minor immigrant children must qualify for permanent resident status before they are eligible for adoption; part of that qualification includes being under 16 years of age.

H.R. 584 waives the statute of limitations for John Wesley Davis, a 20-year Navy soldier, so that his relatives may handle over \$54,000 in uncashed checks on his behalf. Mr. Davis retired from the Navy in the mid-1970s, and became mentally incapacitated a few years later. He currently resides in a nursing home and is unable to attend to financial affairs. Recently, his family discovered he had close to 300 uncashed Navy pension and tax refund checks in his possession. Though both the Navy and Treasury Departments confirm the validity of the checks, Mr. Davis’ family members cannot legally perform financial transactions with them without congressional action to waive the statute of limitations to file such a claim on the funds.



Bills Considered Under Suspension of the Rules

Floor Situation: The House will consider the following two bills under suspension of the rules after it completes consideration of the private calendar. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

H.R. 1818—Juvenile Crime Control and Delinquency Prevention Act amends the 1974 Juvenile Justice and Delinquency Prevention Act (*P.L. 93-415*) to authorize such sums as necessary for a consolidated block grant to fund juvenile crime control activities, including after-school prevention activities, anti-gang programs, and mentoring programs. The bill gives states more flexibility to meet the four federal requirements to receive federal grants, in order allow local officials to best utilize their resources while still protecting juvenile delinquents from adult offenders. Finally, the bill reauthorizes programs to serve runaway and homeless youth and the National Missing Children Center. CBO estimates that enactment of H.R. 1818 will result in additional discretionary spending of approximately \$800 million over the next five years. The bill was introduced by Mr. Riggs et al. and ordered reported by the Education & the Workforce Committee by voice vote.

H.R. 2035—Authorizing the Transfer of Naval Vessels to Certain Foreign Countries authorizes the sale or lease of 14 naval vessels to certain foreign countries. Under the bill, vessels will be sold to countries such as Brazil, Chile, Egypt, Israel, Malaysia, Mexico, and Taiwan, under the Arms Export Control Act. For example, a *Kaiser*-class oiler will be sold to Chile and a *Newport*-class tanking ship to Israel. The repair and refurbishment of these vessels will take place entirely in United States Navy shipyards before the vessels are sold to the foreign countries. The transfer authority granted by the bill will expire two years after enactment. CBO estimates that enactment will gener-

ate \$163 million in offsetting receipts in FY 1998. The bill was introduced by Mr. Gilman and ordered reported by the International Relations Committee by voice vote on June 25, 1997.

Additional Information: See *Legislative Digest*, Vol. XXVI, #20, July 11, 1997.



H.R. 2107—FY 1998 Interior Appropriations Act

Floor Situation: The House will continue consideration of H.R. 2107 after completion of the scheduled suspensions. Last week, the House completed general debate and began considering amendments under an open rule. The rule waives points of order against the bill for containing measures within the jurisdiction of the Budget Committee that were not reported by it. It also waives House rules prohibiting unauthorized appropriations, legislative measures in an appropriations bill, and reappropriations, except for measures regarding the Forest Service timber purchaser road construction credit program and the National Endowment for the Arts. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. In addition, the rule makes in order two remaining amendments—by Mr. Weldon (FL) and Mr. Crapo—for the amount of time specified below and waives points of order against them. It permits the chairman of the Committee of the Whole to postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2107 appropriates \$13 billion in new FY 1998 budget authority, \$546 million less than last year (when including FY 1997 supplemental appropriations) and \$132 million less than the president's request. Approximately half of the bill's funding, \$6.5 billion, finances Interior Department programs to manage and study the nation's animal, plant, and mineral resources. The balance of the bill's funds support other, non-Interior agencies that perform related functions. These include the Forest Service, conservation and fossil energy programs run by the Department of Energy, the Indian Health Service, and the Smithsonian Institution and similar cultural organizations.

The bill increases funding over FY 1997 levels for several programs, providing:

- * \$1.2 billion for the operation of national parks, \$77 million more than last year and \$12 million more than the president's request;
- * \$725.1 million for Fish and Wildlife Service, an increase of \$54.5 million and a \$37.2 million increase over the president's request;
- * \$136 million for the Everglades Initiative, an increase of \$79 million;
- * \$1.7 billion for Native American programs, an increase of \$65 million; and
- * \$502 million for cultural institutions, an increase of \$16 million, including (1) \$388 million for the Smithsonian, (2) \$62 million for the National Gallery of Art, (3) \$20 million for the Kennedy Center, and (4) \$32 million for the Holocaust Museum.

In order to fund these increases, the bill terminates several programs and cuts funding for others. Specifically, the bill (1) eliminates funding for the National Endowment for the Arts; (2) eliminates the \$5.8 million Woodrow Wilson Center (leaving \$1 million for close-out costs); (3) cuts Depart-

ment of Energy Fossil Energy and Research and Development by \$53 million; and (4) cuts funding for the Minerals Management Service and the Naval Petroleum and Oil Shale Reserves. In addition, the bill does not include \$700 million for certain land acquisitions that were included in the budget agreement. CBO estimates that enactment will result in outlays of \$13.1 billion over five years. The bill was submitted by Mr. Regula and reported by the Appropriations Committee by voice vote on June 26, 1997.

Views (on the overall bill):

Republican Leadership: Supports

Chairman Livingston (Full): Supports

Chairman Regula (Sub): Supports

Clinton Administration: Threatened Veto

Amendments: On Friday, the House completed debate, but did not vote on the following amendment:

- * an amendment by **Mr. Chabot** to eliminate funding for the National Endowment for the Humanities (NEH). The bill provides \$110 million for the NEH, including \$13.9 million for matching grants. NEH funding is used to support education, research, media grants, museums, and historical organizations. **Contact: x5-2216**

The *Legislative Digest* was aware of the following other amendments to H.R. 2107:

Mr. Coburn may offer an amendment (#1) to prohibit any funds from being used to support the U.S. Man and the Biosphere program (USMAB) or the World Heritage Program. Biosphere Reserves and World Heritage Sites are under the jurisdiction of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Biosphere Reserves are part of the USMAB which operates in conjunction with a worldwide program under UNESCO. The USMAB operates without legislative direction and is not authorized by Congress, and the U.S. withdrew from UNESCO in 1984. Biosphere reserves, as well as World Heritage Sites and the areas surrounding them, may be subject to international land management rules. In FY 1996, the National Park Service, the National Forest Service, the Smithsonian, and the Bureau of Land Management contributed a total of \$170,000 to USMAB. **Staff Contact: Neil Bradley, x5-2701**

Mr. Crapo may offer an amendment, debatable for 20 minutes, to amend the 1974 Budget Act to create a lock-box for each appropriation bill (House, Senate, and House-Senate Conference) to capture savings from floor amendments that cut spending in order to reduce the federal budget deficit. Congress' mandatory discretionary spending limits would then be reduced by that amount. **Contact: x5-5531**

Mr. Istook and Mr. Visclosky may offer an amendment to prohibit any funds from being used to transfer any new federal lands into tribal trust until Indian tribes reach a binding agreement regarding state and local sales taxes on sales to non-Indians. **Staff Contact: John Albaugh (Istook), x6-2155**

Mr. Sanders and Mr. Quinn may offer an amendment (#12) to increase funding for the weatherization assistance program by \$11.1 million, to a total level of \$132 million. The increased funding is offset by an equal cut in funding for the naval petroleum and oil shale reserves. **Staff Contact: Aura Kenny (Quinn), x5-3306; Steve Crowley (Sanders), x5-4115**

Mr. Stupak may offer an amendment (#15) to prohibit any funds from being used to evict any person from the property of Sleeping Bear Dunes National Lakeshore if that person was authorized, on July 10, 1997, to occupy the property under a lease or permit issued by the Department of Interior. *Staff Contact: Justin Zimmerman, x5-4735*

Mr. Weldon (FL) may offer an amendment, debatable for 10 minutes, to prohibit the National Park Service from allocating any funds to designate the Canaveral National Seashore in Brevard County, Florida, as a “clothing-optional” area or nude beach, if the designation is contrary to a local county ordinance. In 1995, the National Park Service posted “clothing-optional” signs, effectively designating a section of the park as a nude beach. Although the signs have since been taken down, the sponsor is concerned that community decency standards have been thwarted and that families will be discouraged from visiting. *Contact: x5-2011*

Mr. Young (AK) may offer an amendment (#14) to prohibit any funds made available to the Indian Health Service from being used to restructure the funding of Indian health delivery systems to Alaskan Natives. *Staff Contact: Cynthia Ahwinona, x6-0382*

Other Amendments:

After the bill has been considered by the Committee of the Whole and the House rises, **Mr. Kennedy (MA)** may re-offer an amendment that was adopted during consideration last week after being amended by Mr. Dicks. Specifically, the original amendment reduces the Forest Service construction account by \$41.5 million from the committee-passed level of \$89 million, which effectively eliminates the \$47.4 million allocated to the forest road program to build, improve, and maintain forest roads. The amendment leaves only \$5.9 million for this subaccount to continue road inspection and oversight. The amendment also reduces the authorization for the Timber Purchaser Credit Program (through TPCP, the government credits timber to companies as payment for building new forest roads) from \$50 million to \$1, effectively prohibiting federal funds from being used by the Forest Service for the construction of new timber logging roads in FY 1997. In contrast, the Dicks amendment reduced the Forest Service road construction account by \$5.6 million (returning it to the FY 1997 level) and reduced the bill’s limitation on the Forest Service Timber Purchaser Credit Program from \$50 million to \$25 million for FY 1998.

Supporters of the amendment maintain that Forest Service road construction is environmentally destructive and an unjustified federal subsidy for private timber companies. They argue that the amendment does not prevent timber companies from building new roads on federal lands, but requires them to build roads at their own expense. They also contend that the funding reduction will not jeopardize road maintenance because funding for this activity is provided through a separate account. Opponents argue the funding is needed in order to provide access for federal land management activities, specifically the ability to prevent and suppress catastrophic wildfires. In addition, they argue the current funding level will preserve timber jobs and maintain forest health, while the amendment will hurt rural schools that will lose tax receipts resulting from drastically reduced timber sales. Finally, they point to a recent Price Waterhouse analysis which concluded that “the Forest Roads program does not contain a subsidy for timber purchasers.” *Staff Contacts: Heather Mizeur (Kennedy), x5-5111*

Additional Information: See *Legislative Digest*, Vol. XXVI, #19, July 3, 1997.



H.R. 2158—FY 1998 VA/HUD Appropriations Act

Floor Situation: The House is scheduled to begin consideration of H.R. 2158 after it completes consideration of H.R. 2107. Appropriations bills are privileged and may be considered any time three days after they are filed; they do not require a rule for consideration. Nevertheless, the Rules Committee met on Monday and granted an open rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Appropriations Committee. It grants priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The rule waives points of order against the bill for containing measures within the jurisdiction of the Budget Committee that were not reported by it. It also waives House rules prohibiting unauthorized appropriations, legislative measures in an appropriations bill, and reappropriations. In addition, the rule makes in order two specific amendments, by Mr. Solomon and Mr. Shuster, respectively. It permits the chairman of the Committee of the Whole to postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2158 appropriates \$91.7 billion in net new budget authority—\$5.8 billion more than in FY 1997 (\$5.2 billion more in discretionary spending) and \$666 million more than the president's request—for veterans benefits, housing programs, and various agencies dealing mostly with science, space, and the environment. A majority of these funds, \$70.1 billion, go toward discretionary spending programs, while the remaining \$21.6 billion is mandatory spending (outside of the control of the Appropriations Committee). Nearly half of the bill's funding, \$40.4 billion, supports the Department of Veterans Affairs' efforts to provide extensive health, housing, education, and compensatory benefits to military veterans and their dependents.

The bill provides \$25.1 billion for the Department of Housing and Urban Development (HUD), \$8.8 billion more than FY 1997 and \$550 million more than the president requested, including \$9.2 billion for Section 8 housing rental assistance. The bill provides \$7.2 billion for the Environmental Protection Agency, \$433 million more than in FY 1997 and \$432.4 million less than the president's request, as well as \$1.1 billion for the Federal Emergency Management Agency (FEMA).

The bill also provides \$13.6 billion for National Aeronautics and Space Administration (NASA) and eliminates funding for the Office of Consumer Affairs (\$1.5 million) and the Globe Program (Global Learning and Observation to Benefit the Environment; \$1 million). CBO estimates that enactment of H.R. 2107 will result in outlays of \$52.8 billion in FY 1998, \$23.6 billion in FY 1999, \$6.4 billion in FY 2000, \$4.1 billion in FY 2001, and \$3.5 billion in FY 2002 and future years. The bill was submitted by Mr. Lewis (CA) on July 11, 1997; the Appropriations Committee ordered the bill reported by voice vote on July 8, 1997.

Views (on the overall bill):

Republican Leadership: Supports

Chairman Livingston (Full): Supports

Chairman Lewis (Sub): Supports

Clinton Administration: No Position Available

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 2158:

Mr. Barr may offer an amendment (#2 or #3) to designate \$12 million of the funds currently appropriated for the EPA programs and management account to the Clean Rivers and Lakes program under section 314 of the Clean Water Act (CWA) and \$88 million to carry out section 319 of the CWA. Section 314 provides funding to states through the EPA Office of Water Quality to determine the quality of the nation's lakes and develop feasible solutions (Phase I grants) and to implement solutions to correct these problems (Phase II and III). Section 319 of the CWA, the nonpoint source management program, provides funding to states to address water pollution problems regarding stormwater runoff from agricultural lands, forests, and urban areas. The amendment does not increase funding for the EPA. *Staff Contact: Glee Smith, x5-2931*

Mr. Bentsen may offer an amendment (#4) to prohibit the EPA from using funds to implement a ruling regarding the importation into the U.S. of Polychlorinated Biphenyls (PCBs), which are used in insulation and electrical equipment. On March 15, 1996, the EPA issued a final rule allowing the importation of quantities of (PCBs), a chemical that has been charged with causing a range of adverse health effects including cancer, reproductive damage, and birth defects. Supporters argue that PCBs accumulate in the environment and move toward the top of the food chain, containing fish, birds, and ultimately humans. *Contact: x5-7508*

Mr. Evans may offer an amendment to prohibit funds from being obligated for the integration of services at the Lakeside and West Side medical centers in Illinois until the VA Secretary approves a comprehensive services integration plan for the facilities. *Contact: x5-5905*

Mr. Evans may offer an amendment to prohibit funds from being obligated to VA contractors who have committed serious and repeated federal labor and safety violations during the previous two fiscal years. *Contact: x5-5905*

Mr. Green may offer an amendment (#1) to establish an Office of Community Planning and an Office of Inspector General within the Houston, Texas, HUD field office, using funds from the HUD salaries and expenses account. *Contact: x5-1688*

Messrs. Foley, Bachus, and Miller (FL) may offer an amendment to freeze the Community Development Financial Institutions Fund at the FY 1997 level (\$50 million). The bill proposes a funding level of \$75 million. Proponents of the amendment believe the CDFI should not get a funding increase when it is currently under investigation by the Treasury Department's Inspector General. *Staff Contact: Erick Gustafson (Foley), x5-5792; Winton Yerby (Bachus), x6-3280*

Mr. Nethercutt may offer an amendment to require the Veterans Secretary to follow existing law and continue the planned implementation of the Veterans' Equitable Resource Allocation (VERA), a plan that provides medical care funding to regions across the country in a more equitable fashion. The VERA system was created in response to findings which indicated that the veteran population is shifting to different parts of the country but health care dollars are not. Proponents of the amendment argue that a provision in the bill, adopted during subcommittee consideration, undermines the fair allocation of VA funding, as provided under VERA, by freezing funding at FY 1996 levels and thus redirecting millions of dollars away from VA medical care networks. *Staff Contact: Rob Neal, x5-2006*

Mr. Neumann may offer an amendment to prohibit the EPA from adding a site to the Superfund National Priorities List without specific permission from the state's governor in which the site is located. *Contact: x5-3031*

Mr. Obey may offer an amendment to strike \$60 million in funding earmarked for phase-one planning and construction of a wind simulation center in Idaho. The center is billed as a necessary component of an effective pre-disaster mitigation program that will permit the full-scale testing of structures under conditions representative of true disaster circumstances. **Contact: x5-3241**

Mr. Rohrabacher and Mr. Roemer may offer an amendment to transfer \$100 million from NASA's human space flight account provided in the bill for "Russian Program Assurance" activities to NASA's science account for use in developing an additional type of reusable launch vehicle (to supplement the current development of the X-33 reusable launch vehicle). The \$100 million is currently allocated to address specific U.S. program requirements resulting from Russian delays in meeting its commitments to the International Space Station program. **Staff Contact: Eric Sterner (Rohrabacher), x5-7858**

Mr. Shuster may offer an amendment to make funding provided for a \$60 million wind simulation center, as well as \$50 million provided for pre-disaster mitigation project grants to state and local governments, contingent upon enactment of authorizing legislation by April 1, 1998. **Contact: x5-2431**

Mr. Solomon may offer an amendment to guarantee that the VA medical care account will receive at least \$579 million in the event that third-party receipts fall short. The CBO and the Appropriations Committee estimate that \$604 million will also be made available for VA medical care through the Medical Care Collections Fund. Under the amendment, if the Veterans Affairs Secretary determines that such third-party reimbursements fall short of CBO estimates by more than \$25 million, the Treasury Secretary will then deposit unobligated funds into the Medical Care Collections Fund to cover the shortfall. The amendment is contingent upon enactment of authorizing legislation for the Medical Care Collections Fund—currently contained in H.R. 2015, the Balanced Budget Act—and is offset by reducing the EPA science and technology account by \$14 million (however, the account will still be funded at \$16 million above the president's request). **Contact: x5-5614**

Mr. Solomon and Mr. Pombo may offer an amendment to prohibit the use of funds for grants or contracts to universities and colleges that bar ROTC and military recruiters access to the general student population. The amendment applies only to research grants and contracts and does not affect federal student aid programs. **Staff Contact: Jim Doran, x5-7985**

Mr. Tiahrt may offer an amendment to eliminate funding (\$403 million) for the AmeriCorps national service program and use the savings to increase funding for VA medical and prosthetic research by \$50 million (including a \$30 million increase for research on Gulf War illnesses). The remaining savings will be applied to deficit reduction. **Staff Contact: Chris Israel, x5-6216**

Messrs. Wise, Miller (CA), Fox, and Boehlert may offer an amendment (#5) to transfer \$3 million from the EPA's Environmental Programs and Management account to the Chemical Safety Hazard Investigation Board, an unfunded account this year (the president requested no funds for the board for FY 1998). Authorized by the 1990 Clean Air Act Amendments, the board is patterned after the National Transportation Safety Board, with a mission to investigate causes of industrial chemical accidents and make recommendations to industry based on those findings. **Staff Contact: Gail Sullivan, x5-2711**

Additional Information: See *Legislative Digest*, Vol. XXVI, #20, July 11, 1997.

